

**Twin Falls County, Idaho**

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**IDAHO, STATE OF**

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DISTRICT COURT  
Fifth Judicial District  
County of Twin Falls - State of Idaho

MAR 06 2001

By \_\_\_\_\_  
Deputy Clerk

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT**

**OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

STATE OF IDAHO, Department  
of Finance,

Plaintiff,

vs.

AGRICULTURAL SERVICES OF AMERICA,  
INC., a Wyoming corporation;  
AGRICULTURAL INVESTMENTS OF  
AMERICA, INC., a Wyoming corporation;  
GREGORY S. DABNEY; RUSSELL R.  
GRAHAM; and PAUL GRANT,

Defendants.

Civil No. CV -00-1784

**JUDGMENT AND  
PERMANENT INJUNCTION**

It appearing to the Court that Defendant Russell R. Graham, in the Stipulation for Judgment and Permanent Injunction filed with the Court, has admitted that the Complaint states a cause of action for injunctive relief under the Idaho Securities Act and has agreed and consented

to the entry of judgment granting a permanent injunction against him, and has waived the necessity of findings of fact and conclusions of law with respect thereto, and the Court being fully advised in the premises:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

1. Defendant Russell R. Graham is permanently enjoined from engaging in any acts, practices or omissions which would constitute violations of the Idaho Securities Act, and in particular, is permanently enjoined from:
  - A. Selling or offering for sale nonexempt securities in any form in the State of Idaho until such time as such securities have been registered with the Idaho Department of Finance, in accordance with Title 30, Chapter 14, Idaho Code;
  - B. Transacting securities business in the State of Idaho until such time as Defendant Russell R. Graham has become registered as a broker-dealer, or salesman for a broker-dealer or issuer, with the Idaho Department of Finance, in accordance with Title 30, Chapter 14, Idaho Code;
  - C. While engaged in or in connection with the offer, sale, or purchase of any security:
    - (1) Employing any device, scheme or artifice to defraud,
    - (2) Making any untrue statement of material fact, or omitting to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, and
    - (3) Engaging in any act, practice or course of business which operates or would operate as a fraud or deceit upon any person.

- D. Aiding, abetting, counseling, inducing or causing any other person to engage in any of the types of conduct described in paragraphs A, B, and C above.
2. Defendant Russell R. Graham is prohibited from claiming the availability of, using, or offering to sell securities under, any exemptions under the Idaho Securities Act without receiving the prior written consent of the Director.
3. Defendant Russell R. Graham shall restore to each person in interest any consideration which may have been acquired or transferred in violation of the Idaho Securities Act, and specifically but not limited to, the amounts and persons identified in the "Restitution Exhibit" attached hereto in the total amount of \$649,882.20.
4. This Judgment and Permanent Injunction shall serve as a final resolution of all issues presented in Plaintiff's Complaint as to Defendant Russell R. Graham.

DATED this 6 day of March 2001.

51 Meen  
Honorable Daniel B. Meen  
District Judge

State of Idaho  
County of Twin Falls  
I hereby certify the foregoing to be a full, true  
and correct copy of the original on file in the  
above entitled action.  
ROBERT S. FORT  
CLERK OF THE DISTRICT COURT  
By [Signature]  
COURT SERVICES  
CLERK